

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

MERRY F. SHANE, et al.,

Plaintiffs,

v.

KENNETH E. EDGE, et al.,

Defendants.

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Civil Action No.: 3:10-cv-50089
(Consolidated with Civil Action No.
3:10-cv-50132)

**AGREED MOTION FOR *INSTANTER* EXTENSION OF
PAGE LIMITS FOR DEFENDANTS' MEMORANDUM OF LAW
IN SUPPORT OF PRELIMINARY APPROVAL OF SETTLEMENT**

Defendants Kenneth E. Edge, William R. McManaman, Paula Bauer, Paul Donovan, Teresa Iglesias-Solomon, John Halbrook, Frederick Hay, Steven Rogers, John Gleeson, Jack Ward, Lori M. Burke, Judith Carré Sutfin, Donald H. Wilson, Russell Campbell, Eleanor Doar, Guy Francesconi, Richard E. Stiles, Thomas Szmanda, James S. Waddell, Gary Watson, the Advisory Committee for the Amcore Financial Security Plan and Does 1-10 ("Defendants"), by and through their attorneys, respectfully move this Court for an order allowing them to file *instante* a Memorandum of Law in Support of Preliminary Approval of Settlement in excess of the 15 page limit set forth in Local Rule 7.1. Defendants request an additional five pages, for a total not to exceed 20 pages. Plaintiffs agree to this Motion. In support of their Motion, the Defendants state as follows:

1. Plaintiffs' Consolidated Class Action Complaint for Violations of the Employee Retirement Income Security Act ("Consolidated Complaint") asserts claims against 20 individual

defendants who have served as officers, directors, and/or employees of Amcore Financial Inc. The Consolidated Complaint alleges that Defendants breached fiduciary duties under ERISA.

2. The Parties have reached an agreement to settle this litigation in its entirety on a proposed class-wide basis pursuant to Fed. R. Civ. P. 23(e). Yesterday Plaintiffs filed a motion in support of preliminary approval of the settlement (“the Preliminary Approval Motion”) (Docket No. 92), which they will present to the Court at 1:30 p.m. on January 15, 2013.

3. Defendants seek leave of Court to file *instanter* their memorandum in support of the Preliminary Approval Motion in excess of 15 pages.¹ Defendants’ proposed 20-page memorandum of law in support of the Preliminary Approval Motion is attached as Exhibit A.

5. Defendants have consulted with Plaintiffs’ counsel, who do not oppose the page limit extension.

WHEREFORE, Defendants respectfully request leave to file *instanter* a Memorandum in excess of fifteen pages in Support of Plaintiffs’ Motion for Preliminary Approval of Settlement.

Dated: January 11, 2013

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Deborah S. Davidson

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Counsel for Defendants

¹ Plaintiffs have filed their own memorandum in support of the Preliminary Approval Motion.

CERTIFICATE OF SERVICE

I, Deborah S. Davidson, an attorney for Defendants, hereby certify that a true and correct copy of the foregoing Agreed Motion for *Instante*r Extension of the Page Limits for Defendants' Memorandum of Law in Support of Preliminary Approval of Settlement was electronically filed via the Court's Electronic Filing System this 11th day of January, 2013, which will send a notice of electronic filing to the following counsel of record:

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s/ Deborah S. Davidson
One of Defendants' Attorneys